

CIRCULAR NO.8/2109
PLASTIC SUBSTANCE & WASTE

To:

1. All the stakeholders through MOC website
2. All Marine Agencies
3. All Recognized Organizations
4. All Kuwaiti Ports
5. All Kuwaiti Ship owners

1. Recalling the environmental law 42 (2014) and Kuwait Maritime commercial law (28/1980) as amended is to foster the development of shipping and ensure the safe & efficient Kuwait marine in a manner best suited to serve the national interests;
2. Whereas the Ministry of Communication, Govt. of Kuwait is the designated maritime administration of the country to administer the environmental law 42 (2014) and Kuwait Maritime Commercial law (28/1980).
3. Whereas, the United Nations Environment Program (UNEP) is the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system, and serves as an authoritative advocate for the global environment.
4. Whereas, as per the 2018 UNEP report titled '*Single-use plastics - A Roadmap for Sustainability*', single-use plastics are also known as disposable plastics like plastic bags. Straws, coffee stirrers, soda and water

- bottles and food packaging, which are used only once before they are thrown away or recycled.
5. Whereas, the aforesaid report highlighted the global nature of plastic for being one of the greatest environmental challenges that chokes marine life transforming some marine areas into a plastic soup.
 6. According to International Clean-up Report, 2017, the most common finds during international coastal clean-ups are, in order of magnitude, cigarette butts, plastic beverage bottles, plastic bottle caps, food wrappers, plastic grocery bags, plastic lids, straws and stirrers, glass beverage bottles, other kind of plastic bags, and foam take-away containers. Single-use plastics took most of the spots in this list of top ten.
 7. Whereas, as per the 2018 UNEP report, *Single-use plastics - A Roadmap for Sustainability*:

"Plastic pollution is a defining challenge of our times Single-use throwaway plastics are the biggest contributor every year; millions of plastic bags end up in the environment, thus polluting soil, water bodies, rivers oceans".
 8. Whereas, according to International Maritime Organization, Marine litter presents a huge problem in our oceans, with some scientists warning that, by 2050, the quantity of plastics in the oceans will outweigh fish.
 9. Whereas prohibition of discharging plastic at sea is not alien to maritime regulatory frameworks.
 10. Whereas anecdotal accounts suggest the prevalence of willful dumping of litter (plastic bottles, bags etc.) overboard by seafarers and that the lack of proper education and management has lead the seafarers to inevitably use single-use plastic products and discard them in a non-responsible manner.

11. Whereas to avoid such practices IMO adopted Resolution MEPC.295 (71)/2017: Guidelines for the implementation of MARPOL ANNEX V on 7th July 2017.
12. Now therefore, in larger public interest a ban is imposed on single use plastic on Kuwaiti Ships and foreign ships while in Kuwaiti waters, as per terms and conditions mentioned under succeeding paragraphs.
13. Applicability of ban:
 - 13.1. All Ships which are deemed to be Kuwaiti Ships under Kuwait Maritime commercial law (28/1980);
 - 13.2. Foreign ships in any port or place in Kuwait.
14. Prohibitions:
 - 14.1. Items prohibited with effect from 01.01.2020; following Single use plastics are prohibited to be used on board Kuwaiti ships and foreign ships when such ships are at a port or place in Kuwait:
 - 14.1.1. Bags, trays, containers, food-packaging film;
 - 14.1.2. Milk bottles, freezer bags, shampoo bottles, ice cream containers;
 - 14.1.3. Bottles for water and other drinks, dispensing containers for cleaning fluids, biscuit trays;
 - 14.1.4. Hot drink cups, insulated food packaging, protective packaging for fragile items;
 - 14.1.5. Microwave dishes. Ice cream tubs, potato chip bags, bottle caps.

14.2. Items prohibited with immediate effect:

- 14.2.1. Cutlery, plates and cups;
- 14.2.2. Up-to 10 liters bottles for water and other drinks;
- 14.2.3. Garbage and shopping bags, and;
- 14.2.4. Dispensing containers for cleaning fluids, which are less than 10 liters volume.

15. Enforcement:

15.1 All Recognized Organizations are hereby directed to ensure during surveys, inspection and audits of Kuwaiti ships that:

- 15.1.1. Single use plastics are not found used/stored on board any Kuwaiti ship. A Memo to the same effect to be inserted in the Survey status of ships;

15.2 Administration Surveyors while conducting Flag State Inspection! Audit/Survey of Kuwaiti ships to verify that Single use plastics are neither used and nor available on Kuwaiti ships. In case of non-compliance, a deficiency raised to be rectified prior departure under Code 99103 (Other MARPOL Operational). If same deficiency is repeated during next inspection, it may be taken as a clear ground for detention under ISM Code;

15.3. Administration Surveyors while carrying out Port State Inspection of foreign flag vessels to ensure that Single use plastics are not in use and are kept locked in a Store during their stay in Kuwaiti ports and on their passage through the territorial Waters of Kuwait. A foreign ships intending to enter an Kuwaiti port (as defined in Article II of UNCLOS), is required to make a log entry identifying the "Single Use Plastic Items" on board the ship and stating the time, latitude and

longitude "when" along with the location of the store where these items are stored prior entering Kuwaiti territorial waters. Further no single use plastic items to be discharged to port reception facility at a Kuwaiti port; same to be verified during Port State Inspections;

15.4. No detention of foreign ships to be enforced. In case it is found necessary, after uploading all other deficiencies on Riyadh MOU website, a handwritten deficiency in the printed PSC Form 'B' to be rectified prior departure may be issued; however, no such deficiency to be uploaded on Riyadh MOU Website.

16. The foregoing measures have been put in place to ensure safe, secure, environmentally sound, sustainable shipping and in public interest.

17. This order shall come into force with immediate effect.



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Registrar of Kuwaiti Ships

